

Amendment No. 7 to HB2392

Fitzhugh
Signature of Sponsor

AMEND Senate Bill No. 2355*

House Bill No. 2392

Transfer to General Fund from Debt Service Fund

By inserting in Section 43, Item 4 of the printed bill at the end of the item a new sentence to read:

The transfer from the debt service fund shall include \$27,800,000 of the unexpended balance of the appropriations made in Section 3 of Chapter 5, Public Acts of 2009.

Debt Service Fund Reductions

AND FURTHER AMEND by deleting in its entirety Item 4 in Section 1, Title III-31 of the printed bill, and by substituting instead:

4. Amortization of Authorized and Unissued Construction Bonds	145,818,000.00
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and by deleting:

Total Title III-31	\$429,985,000.00
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and substituting instead:

Total Title III-31	\$427,185,000.00
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Improvement Reductions

AND FURTHER AMEND the printed bill by adding the following Section between Sections 59 and 60 of the printed bill and by renumbering Sections accordingly.

SECTION _____. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting improvement appropriations and positions that had been recommended in the 2009-2010 Budget Document, and the Commissioner of Finance and Administration shall adjust federal and other departmental revenue estimates accordingly:

Item 1. The appropriation in Section 4, Title III-1, Treasury Department, hereby is reduced in the amount of \$222,500 for the purpose of deleting two improvement positions.

Item 2. The appropriation in Section 1, Title III-9, Education – BEP and Other LEA Support, is reduced in the amount of \$2,000,000 for full funding of the BEP.

Item 3. The appropriation in Section 1, Title III-2, Commission on Aging and Disability, is reduced in the amount of \$17,600 (non-recurring) for reduced state match on an elderly nutrition grant.

AND FURTHER AMEND in Section 38 of the printed bill by deleting the words and figures:

“2. Commission on Aging and Disability \$76,900.00”

and substituting instead the words and figures:

“2. Commission on Aging and Disability \$58,000.00”

Capital Outlay

AND FURTHER AMEND by deleting in its entirety Item 2 in Section 58 of the printed bill, and by substituting instead a new Item 2 to read:

Item 2. Subject to the enactment of Senate Bill No. 2358/House Bill No. 2390, the general obligation bond authorization recommended in the 2009-2010 Budget Document, it is the legislative intent to delay or cancel certain capital outlay projects previously appropriated capital outlay current funds in the amount of \$21,900,000.00. The Commissioner of Finance and Administration is directed to reduce the allotment of appropriations from current funds in the capital projects fund according to the following schedule:

1. Department of Correction	\$ 2,220,700.00
2. Department of Children’s Services.....	436,300.00
3. Department of Education	203,200.00
4. Department of Environment and Conservation	4,956,600.00
5. Department of Finance and Administration	11,061,000.00
6. Department of Mental Health and Developmental Disabilities.....	313,700.00
7. Department of Finance and Administration – Mental Retardation	380,000.00
8. Department of Military.....	1,379,300.00
9. Tennessee Board of Regents	818,300.00
10. University of Tennessee	130,900.00

TOTAL \$21,900,000.00

There is hereby transferred the sum of \$21,900,000.00 from the capital projects fund to general fund in the fiscal year ending June 30, 2009.

Base Reductions

AND FURTHER AMEND by inserting the following between Sections 59 and 60 of the printed bill and by renumbering the subsequent Sections accordingly:

SECTION _____. The appropriations in Section 1 of this act hereby are reduced in the following amounts for the purpose of accelerating base budget reductions by deleting or reducing non-recurring appropriations that had been recommended in the 2009-2010 Budget Document and identified in Volume 2 of the Budget, Base Budget Reductions, as non-recurring appropriation restorations. Such non-recurring appropriations, identified herein by reduction item number as listed in the Volume 2 cited above, hereby are reduced in the following amounts, and the Commissioner of Finance and Administration shall adjust federal and other departmental revenue estimates accordingly:

Item 1. District Attorneys General, reduction number 1, Training, District Attorneys General Conference, \$85,000.

Item 2. District Public Defenders Conference:

(a) Reduction number 1, Increase in Partial Indigency Fee Revenue, District Public Defenders, \$235,000 appropriation reduction, and the commissioner shall increase the departmental revenue estimate by \$235,000.

(b) Reduction number 3, Disconnect Phone Lines, District Public Defenders, \$30,000.

Item 3. Department of Finance and Administration, reduction number 2, Grants, Criminal Justice Programs, \$310,000.

Item 4. Department of Human Resources:

(a) Reduction number 3, On-Line Submission of Applications, Executive Administration, \$70,000.

(b) Reduction number 4, OIR Systems Expenditures, Executive Administration, \$200,000, and the appropriation of departmental revenue in Section 4 to the Department of Finance and Administration, Office for Information Resources, shall be adjusted if necessary to reconcile.

Item 5. Department of Economic and Community Development, reduction number 2, Business Development, \$3,061,200, as follows:

- (a) Administrative Services, \$271,700.
- (b) Business Services, \$44,600.
- (c) FastTrack Infrastructure and Job Training Assistance, \$2,744,900.

Item 6. Department of Education:

- (a) Reduction number 2, Extended Contracts, Career Ladder, \$5,000,000.
- (b) Reduction number 6, Coordinated School Health, Improving Schools Programs, \$4,900,000.
- (c) Reduction number 9, Internet Connectivity, Accountability and Assessment, \$1,000,000.

Item 7. Department of Labor and Workforce Development, reduction number 7, Adult Education Subgrants, Adult Basic Education, \$373,500.

Item 8. Military Department, reduction number 5, Administration, Division of Administration, \$353,500 for tuition assistance in the Air Guard.

Item 9. Department of Human Services:

- (a) Reduction number 6, Vocational Rehabilitation Tuition Means Test, Division of Vocational Rehabilitation, \$600,000.
- (b) Reduction number 7, Family Services Counseling, Family Assistance Services, \$2,000,000.

Item 10. Tennessee Bureau of Investigation, reduction number 3, Investigation and Forensic Services, \$2,989,600.

SECTION _____. The appropriations in Sections 1 and 4 of this act hereby are reduced in the following amounts for the purposes stated in this section, and the Commissioner of Finance

and Administration is authorized to adjust federal and other departmental revenues and authorized positions accordingly:

Item 1. To the TennCare Program in Section 1, Title III-26, \$11,799,600 non-recurring to recognize the non-recurring enhanced federal match revenue pursuant to U.S. Public Law 111-5 American Recovery and Reinvestment Act of 2009. The appropriation to TennCare of \$29,863,400 (\$41,663,000 recurring and negative \$11,799,600 non-recurring) is contingent upon passage of Senate Bill No. 2357/House Bill No. 2389 provisions raising the HMO tax.

Item 2. To the Department of General Services, in Section 4, Title III-2, Item 4.4, the sum of \$5,400,000 relative to reduced motor vehicle purchases.

Item 3. The appropriations in Section 1, Title III-26, Department of Finance and Administration – TennCare Program, hereby are reduced in the amount of \$59,500,000 (non-recurring) for the purpose of recognizing an increase in the enhanced federal match revenue, and the federal aid appropriations in Section 4, Title III-26 hereby are increased in the amount of \$59,500,000.

AND FURTHER AMEND by deleting all of the language in Section 1, Title III-10, of the printed bill, and substituting instead the following:

10. Higher Education

1. Administration and Support Services

1.1	Tennessee Higher Education Commission	\$	2,184,000.00
1.2	Contract Education		2,289,700.00
1.3	Tennessee Student Assistance Awards		49,362,500.00
1.4	Tennessee Student Assistance Corporation		1,235,200.00
1.5	Loan/Scholarship Programs		1,191,000.00
1.6	Foreign Language Institute		346,800.00
1.7	THEC Grants		2,436,500.00
	Total Administration and Support Services.....	\$	59,045,700.00

2. Excellence Initiatives

2.1	Academic Scholars Program.....	\$	401,800.00
2.2	Centers of Excellence		19,635,500.00
2.3	Campus Centers of Emphasis.....		1,429,600.00
	Total Excellence Initiatives.....	\$	21,466,900.00

3. University of Tennessee System

3.1	Administrative and Other Services		
	a. UT University-Wide Administration.....	\$	4,214,900.00

	b. UT Institute for Public Service	5,020,500.00
	c. UT Municipal Technical Advisory Service	2,762,500.00
	d. UT County Technical Assistance Service	1,616,400.00
	e. UT Access and Diversity Initiative	6,485,900.00
	f. UT Space Institute	8,323,800.00
	g. UT Research Initiatives	11,180,300.00
	Subtotal Administrative and Other Services	\$ 39,604,300.00
3.2	Agricultural Services	
	a. UT Agricultural Experiment Station	\$ 25,274,200.00
	b. UT Agricultural Extension Service	30,315,300.00
	c. UT Veterinary Medicine	16,684,900.00
	Subtotal Agricultural Services	\$ 72,274,400.00
3.3	Medical Education	
	a. UT Health Science Center	\$ 71,501,900.00
	b. UT Family Medicine	10,234,400.00
	c. UT College of Medicine	49,566,800.00
	Subtotal Medical Education	\$ 131,303,100.00
3.4	University Campuses	
	a. UT Chattanooga	\$ 45,786,700.00
	b. UT Knoxville	194,410,500.00
	c. UT Martin	33,040,000.00
	Subtotal University Campuses	\$ 273,237,200.00
	Total University of Tennessee System	\$ 516,419,000.00
4.	Tennessee Board of Regents System	
4.1	Administration and Other Services	
	a. Tennessee Board of Regents	\$ 4,399,700.00
	b. Regents Access and Diversity Initiative	11,456,400.00
	Subtotal Administration and Other Services	\$ 15,856,100.00
4.2	Medical Education	
	a. ETSU College of Medicine	\$ 29,184,300.00
	b. ETSU Family Practice	5,719,000.00
	Subtotal Medical Education	\$ 34,903,300.00
4.3	Regional Universities	
	a. Austin Peay State University	\$ 35,938,600.00
	b. East Tennessee State University	62,684,700.00
	c. University of Memphis	122,726,400.00
	d. Middle Tennessee State University	100,072,000.00
	e. Tennessee State University	42,175,100.00
	f. Tennessee Technological University	48,949,800.00
	Subtotal Regional Universities	\$ 412,546,600.00
4.4	Community Colleges	
	a. Southwest Tennessee Community College	\$ 40,093,000.00
	b. Nashville State Technical Community College	16,256,200.00
	c. Pellissippi State Technical Community College	21,935,400.00
	d. Northeast State Technical Community College	13,150,900.00
	e. Chattanooga State Technical Community College	25,002,000.00
	f. Cleveland State Community College	10,848,900.00

g. Columbia State Community College.....	14,029,300.00
h. Dyersburg State Community College	7,588,500.00
i. Jackson State Community College.....	13,099,100.00
j. Motlow State Community College.....	10,905,500.00
k. Roane State Community College	19,090,800.00
l. Volunteer State Community College.....	19,166,600.00
m. Walters State Community College.....	19,373,100.00
Subtotal Community Colleges.....	\$ 230,539,300.00
4.5 Tennessee Technology Centers	\$ 53,824,400.00
4.6 Agricultural Centers	
a. TSU McMinnville Center	\$ 534,900.00
b. TSU Institute of Agricultural and Environmental Research	2,188,300.00
c. TSU Cooperative Education	1,940,500.00
Subtotal Agricultural Centers	\$ 4,663,700.00
Total Tennessee Board of Regents System	\$ 752,333,400.00
5. Lottery-Funded Programs	
5.1 Lottery for Education Account	\$ 289,100,000.00
Total Lottery-Funded Programs	\$ 289,100,000.00
Total Title III-10	\$ 1,638,365,000.00

AND FURTHER AMEND by deleting from Section 38 of the printed bill all of the words and figures from the words “Higher Education” through the words and figures “Total Higher Education \$ 58,625,900.00” and substituting instead the following:

Higher Education

1. State Administered Programs	
1.1 Centers of Excellence	\$ 861,000.00
1.2 Campus Centers of Emphasis	84,700.00
Sub-Total.....	\$ 945,700.00
2. University of Tennessee System	
2.1 UT University –Wide Administration.....	\$ 0.00
2.2 UT Institute for Public Service	31,100.00
2.3 UT Municipal Technical Advisory Service	49,800.00
2.4 UT County Technical Assistance Service.....	31,300.00
2.5 UT Access and Diversity Initiative	227,000.00
2.6 UT Space Institute	175,400.00
2.7 UT Agricultural Experiment Station	427,700.00
2.8 UT Agricultural Extension Service	440,300.00
2.9 UT Veterinary Medicine	284,800.00
2.10 UT Health Science Center	292,500.00
2.11 UT Family Medicine	173,400.00
2.12 UT College of Medicine.....	1,059,500.00
2.13 UT Chattanooga	1,955,700.00
2.14 UT Knoxville.....	8,333,700.00
2.15 UT Martin.....	1,417,100.00

Sub-Total.....		\$ 14,899,300.00
3.	Tennessee Board of Regents System	
3.1	Southwest Tennessee Community College.....	\$ 848,400.00
3.2	Nashville State Technical Community College	357,000.00
3.3	Pellissippi State Community College.....	475,900.00
3.4	Northeast State Community College	273,000.00
3.5	Regents Access and Diversity Initiative.....	401,200.00
3.6	Tennessee Board of Regents	0.00
3.7	TSU McMinnville Center	10,400.00
3.8	TSU Institute of Ag. And Env. Research	44,700.00
3.9	TSU Cooperative Education.....	39,600.00
3.10	ETSU College of Medicine	483,900.00
3.11	ETSU Family Practice.....	89,900.00
3.12	Austin Peay State University	1,680,300.00
3.13	East Tennessee State University	2,639,200.00
3.14	University of Memphis.....	5,025,900.00
3.15	Middle Tennessee State University	4,486,300.00
3.16	Tennessee State University	2,170,400.00
3.17	Tennessee Technological University.....	1,978,200.00
3.18	Chattanooga State Community College	496,900.00
3.19	Cleveland State Community College.....	204,500.00
3.20	Columbia State Community College	296,800.00
3.21	Dyersburg State Community College	143,100.00
3.22	Jackson State Community College	266,100.00
3.23	Motlow State Community College	237,500.00
3.24	Roane State Community College.....	383,700.00
3.25	Volunteer State Community College	387,100.00
3.26	Walters State Community College	370,800.00
3.27	Tennessee Technology Centers	1,021,100.00
Sub-Total.....		\$24,811,900.00
Total Higher Education		\$ 40,656,900.00

Base Budget Restorations

AND FURTHER AMEND by inserting the following between sections 59 and 60 of the printed bill and by renumbering the subsequent sections accordingly:

SECTION _____. In addition to the appropriations in Section 1 of this act, the following amounts are appropriated and certain non-recurring appropriations are reduced for the purpose of restoring base budget reductions that had been recommended in the 2009-2010 Budget Document and identified, as noted herein, in Volume 2 of the Budget, Base Budget Reductions. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenues and position authorizations accordingly. The amounts appropriated, in addition to the amounts in Section 1, and certain non-recurring appropriation reductions are:

Item 1. Department of Children's Services, an additional \$17,620,500 recurring, and the non-recurring appropriations are reduced by \$16,038,000, as follows, including the continued authorization of 361 existing positions:

(a) To restore reduction number 15, Group Homes, the sum of \$4,941,100 (recurring) is appropriated, the non-recurring appropriation is reduced by \$3,779,500, and 154 existing positions are authorized, thus eliminating the proposed reduction plan. Further, the sum of \$6,900 (recurring) and \$111,800 (non-recurring) is appropriated to TennCare, for the purpose of this item.

(b) To restore reduction number 16, Youth Development Center Beds, the sum of \$5,045,100 (recurring) is appropriated, the non-recurring appropriation is reduced by \$5,045,100, and 97 existing positions are authorized, thus eliminating the proposed reduction plan.

(c) To restore reduction number 17, Relative Caregiver and Other Contracts, the sum of \$2,818,200 (recurring) is appropriated, and the non-recurring appropriation is reduced by \$2,818,200, thus eliminating the proposed reduction.

(d) To restore reduction number 18, Administrative and Operational Staff, the sum of \$3,651,300 is appropriated, the non-recurring appropriation is reduced by \$3,651,300, and 110 existing positions are authorized, thus eliminating the proposed reduction plan. Further, the sum of \$1,157,900 (recurring) is appropriated to TennCare, and the non-recurring appropriation to TennCare is reduced by \$855,700.

Item 2. TennCare Program, to restore reduction number 11, Long-Term Care Eligibility Criteria, the sum of \$12,187,200 (non-recurring) is appropriated in addition to the appropriations in Section 1 of this act, and federal departmental revenue of \$34,936,800 is appropriated in addition to the amounts in Section 4, for the purpose of maintaining the program under current eligibility criteria.

Item 3. Department of Correction, Hardeman County Agreement – Whiteville, to restore reduction number 1, Population Management, the sum of \$12,043,400 (non-recurring) is

appropriated, it being the legislative intent to continue using the Whiteville facility in a phase-out period through December 2010.

AND FURTHER AMEND in Section 1, Title III-1 of the printed bill by deleting all of the language and figures in Item 3, Secretary of State, and by substituting instead the following:

3.	Secretary of State		
3.1	Secretary of State	\$	10,203,400.00
3.2	State Election Commission		1,666,200.00
3.3	Public Documents		390,200.00
3.4	State Library and Archives		8,567,700.00
3.5	Regional Library System		7,569,400.00
3.6	Registry of Election Finance		575,000.00
3.7	Economic Council of Women		193,500.00
3.8	Charitable Solicitations and Charitable Gaming		397,500.00
3.9	Ethics Commission		423,700.00
	Total Secretary of State.	\$	29,986,600.00

and by deleting all of the language and figures in Item 5, Comptroller of the Treasury,

and by substituting instead the following:

5.	Comptroller of the Treasury		
5.1	Division of Administration	\$	961,700.00
5.2	Office of Management Services		11,220,000.00
5.3	Division of State Audit		11,671,200.00
5.4	Division of County Audit		7,654,900.00
5.5	Division of Municipal Audit		2,010,500.00
5.6	Division of Bond Finance		521,200.00
5.7	Office of Local Government		1,226,100.00
5.8	Division of Property Assessments		8,903,100.00
5.9	Tax Relief		21,800,000.00
5.10	State Board of Equalization		2,406,000.00
5.11	Division of Local Finance		495,000.00
5.12	Offices of Research and Education Accountability		1,683,200.00
5.13	Office of State Assessed Properties		1,202,300.00
5.14	Telecommunications Ad Valorem Tax Equity Payments		14,327,900.00
	Total Comptroller of the Treasury	\$	86,083,100.00

Additions to Budget / Supplemental Appropriations

AND FURTHER AMEND by deleting in its entirety in Section 38 of the printed bill the following:

Judicial	
1. Indigent Defendants' Counsel	\$5,000,000.00

and by substituting instead the following:

Judicial	
1. Indigent Defendants' Counsel	\$4,000,000.00
2. Guardian ad Litem	1,000,000.00
Total Judicial	\$5,000,000.00

AND FURTHER AMEND in Section 42 of the printed bill by adding the following new subsection:

(c) The provisions of this subsection (c) shall take effect upon becoming law, the public welfare requiring it. To municipalities and counties, \$100,000 is hereby appropriated to supplement the appropriation made in Section 42 (b), Chapter 1203, Public Acts of 2008. It is the legislative intent that such funds be divided and distributed to the various municipalities and counties as follows: fifty percent (50%) to municipalities on the basis of population and fifty percent (50%) to counties on the basis of population.

AND FURTHER AMEND the printed bill by adding the following Sections between Sections 59 and 60 of the printed bill and by renumbering the Sections accordingly:

SECTION____. This section shall take effect upon becoming a law, the public welfare requiring it. In addition to the appropriations in Section 38 of this act, except as otherwise provided herein, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues accordingly.

Item 1. From the unexpended balances of the appropriations in Section 1, Title III-22 of Chapter 1203, Public Acts of 2008, for Miscellaneous Appropriations, there hereby is reappropriated the sum of \$10,322,200 to support development of the Human Services ACCENT system.

Item 2. To the Department of Mental Health and Developmental Disabilities, the additional sum of \$1,800,000 to provide for clients awaiting transfer to Mental Retardation services.

Item 3. To the Department of Economic and Community Development, the additional sum of \$150,000 to support economic development district grants. There is appropriated the sum of \$150,000 for the same purpose in 2009-2010.

Item 4. To the Department of Commerce and Insurance, the additional sum of \$135,500 for firefighters pay supplement. There is further appropriated the sum of \$180,000 for

the same purpose in 2009-2010, recognizing growth in the number of persons qualifying for the training incentive payment.

Additions to Budget

SECTION _____. In addition to the appropriations in Section 1 of this act, except as otherwise provided herein, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues and authorized positions accordingly:

Item 1. To Miscellaneous Appropriations in Section 1, Title III-22, the sum of \$3,700,000 (non-recurring) to fund a severance benefit plan for reduction-in-force separations occurring after April 1, 2009.

Item 2. To the Department of Mental Health and Developmental Disabilities, the sum of \$10,000,000 to support the behavioral health safety net.

Item 3. To the Department of Economic and Community Development, the sum of \$5,000,000 (non-recurring) to be earmarked from FastTrack revenues and reserves to fund an advanced manufacturing technology education center.

Item 4. Energy Efficiency and Clean Energy Technology Initiatives. In addition to the appropriations in Section 4 of this act, the following amounts hereby are appropriated to the Department of Economic and Community Development for the state's energy efficiency and clean energy technology initiatives. The Commissioner of Finance and Administration is authorized to allocate these appropriations to the appropriate programs and other agencies and for capital outlay, as he deems appropriate, and to adjust federal and other departmental revenue estimates accordingly. The appropriations are for the following purposes and in the following amounts:

(a) Volunteer State Solar Initiative, to the Division of Energy, from the funds appropriated in sections 4 and 39(b), the sum of \$62,482,000 is earmarked from the state energy program federal grant provided pursuant to U.S. Public Law 111-5, American Recovery

and Reinvestment Act of 2009. The solar energy initiative includes a Solar Institute at the Cherokee Farm site at the University of Tennessee in Knoxville and at Oak Ridge National Laboratory, a solar farm five-megawatt power generation demonstration project at the West Tennessee industrial mega-site in Haywood County, and other renewable energy activities approved by the U.S. Department of Energy.

(b) Energy efficiency plan implementation, to the Division of Energy, from the federal energy efficiency and conservation block grant appropriated in sections 4 and 39(b), the sum of \$13,818,200 is earmarked from the federal grant provided pursuant to U.S. Public Law 111-5, American Recovery and Reinvestment Act of 2009.

(c) From federal petroleum violation escrow funds, the following amounts are appropriated for the stated purposes, in addition to the amounts in section 4 of this act;

(i) To assist commercial and industrial businesses in implementing energy-efficiency improvements, the sum of \$15,000,000 to establish a low-interest revolving loan fund or to provide a grant to participate in a loan-fund consortium. Such direct-appropriation grant may be made to the Southeast Community Capital Corporation or other entity as determined by the Commissioner of Economic and Community Development and approved by the Commissioner of Finance and Administration; provided, however, that the state may recoup any unused loan-guarantee portion of the grant, it being the legislative intent that no more than \$5 million of the grant is for operating purposes and no less than \$10 million for loan guarantees.

(ii) For participation in a multi-state initiative with the U.S. Department of Energy to demonstrate electric vehicle technologies, the sum of \$5,000,000 for a grant.

(iii) For building codes training and materials for local government codes inspectors whose cities and counties update or have updated residential building codes to promote energy efficiency, the sum of \$500,000.

(iv) For other energy initiatives, the sum of \$15,000,000, and the Commissioner of Finance and Administration shall reduce the appropriations in Section 4 by the

following amounts: Small Business Energy Loan Program, \$2,400,000, and Local Government Energy Loan Program, \$4,900,000. Provided, further, that the Commissioner of Finance and Administration is authorized to transfer the balance of petroleum violation escrow funds, estimated to be \$2,767,900, from the Department of Finance and Administration, state building energy loan program (energy management). Such other energy initiatives may include promotion of clean-energy technology workforce development, public awareness and education related to energy efficiency, community - or school-based energy-efficiency projects, and other clean-energy technology and energy-efficiency activities deemed appropriate by the Commissioner of Economic and Community Development.

Item 5. To the Cover Tennessee Health Care Programs, the sum of \$2,400,000 (non-recurring) to support the Cover RX program.

Item 6. To the Council of Juvenile and Family Court Judges, the sum of \$600,000 (non-recurring) to provide for juvenile mental health evaluations. This appropriation shall be available to implement Senate Bill 456 / House Bill 459, relative to reimbursement of counties for costs associated with mental health evaluations for juvenile courts.

Item 7. To the District Attorneys General, the sum of \$397,100 and to the Department of Human Services, the sum of \$27,400 to annualize the 2007-2008 step salary increase of assistant district attorneys.

Item 8. To the District Public Defenders, the sum of \$232,900 to annualize the 2007-2008 step salary increase of assistant public defenders.

Item 9. To the Department of Education, the sum of \$1,000,000 (non-recurring) for a grant to the Save the Children for literacy programs.

Item 10. To the Department of Tourist Development, the sum of \$3,500,000 (non-recurring) to support the advertising program.

Item 11. To the Department of Children's Services the sum of \$25,000 (non-recurring) for the sole purpose of making a grant in such amount to A Secret Safe Place for Newborns of Tennessee, Inc., to be used for programs, services, and operational expenses.

Item 12. To the Department of Health, the sum of \$2,000,000 (non-recurring) for a grant to Meharry Medical College for the “Wellness for Our Community...Fitness is Our Future” program for implementation at historically black colleges and universities in Tennessee.

Item 13. To fund a group health insurance premium adjustment effective January 1, 2010, the following sums are appropriated:

(a) To Miscellaneous Appropriations, the sum of \$7,709,300 for state agencies;

(b) To Higher Education, the sum of \$5,669,000; and

(c) To the Department of Education, the sum of \$13,512,000 for the Basic Education Program.

Item 14. To the Department of Correction, the sum of \$250,000 to support the Criminal Justice Coordinating Council.

Item 15. To the Advisory Commission on Intergovernmental Relations the sum of \$200,000 (non-recurring) for a regional jails feasibility study.

AND FURTHER AMEND in Section 52, Item 1, of the printed bill by deleting the figure “\$11,000,000” and substituting instead “\$3,000,000” and by inserting the following as a new section between sections 59 and 60 of the printed bill:

SECTION _____. In addition to the appropriation to the Department of Education in Section 1, Title III-9, Item 2.1(i), Early Childhood Education, there is appropriated the sum of \$8,000,000 from the education fund for the purpose of reducing the appropriation for pre-kindergarten programs from net lottery proceeds by that amount. Provided, further, that the appropriation of departmental revenue in Section 4, Title III-9, Item 8, Early Childhood Education, hereby is reduced by \$8,000,000.

Capital Outlay Appropriations

AND FURTHER AMEND the printed bill by adding the following Section between Sections 59 and 60 of the printed bill and by renumbering the Sections accordingly:

SECTION _____. In addition to the capital outlay appropriations in Section 1, Title III-32 of this act, except as otherwise provided herein, the following amounts are hereby appropriated,

and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues accordingly:

Item 1. To the Department of Economic and Community Development, a sum of \$13,000,000 to fund the West Tennessee Mega-site Land and Development project.

Item 2. To the Department of Economic and Community Development, a sum of \$2,000,000 in federal transportation enhancement funds to establish a visitors center on Interstate 40 in Haywood County that will serve as a regional solar-energy education site.

Item 3. To the University of Tennessee-Veterinary Medicine, a sum of \$20,900,000 for the Veterinary Hospital renovation and addition project, to be funded from (a) National Academy-Level Faculty reserves (\$10,000,000); (b) institutional revenue and reserve (\$5,842,000); (c) federal ARRA grant (\$1,558,000); and (d) TSSBA and/or gifts (\$3,500,000).

Item 4. To the Wildlife Resources Agency, a sum of \$800,000 (non-recurring) for pre-planning expansion to state fish hatcheries. This appropriation shall be funded from general fund revenues and reserves. This appropriation is contingent upon acquisition of property for a fish hatchery by the Wildlife Resources Agency.

Item 5. To the Department of Military, there is hereby reappropriated the sum of \$476,000 from capital projects residual funds to provide the state match for \$720,000 in federal funds to perform four sustainable restoration modernization projects included in the American Recovery and Reinvestment Act of 2009 special military cooperative agreement for Tennessee.

Administration Bills

AND FURTHER AMEND the printed bill in Section 1, Title III-22, Miscellaneous Appropriations by deleting the Item 23 in its entirety and by inserting the following as a new section between Sections 59 and 60 of the printed bill:

SECTION____. Legislation. In addition to the appropriations in Sections 1 and 4 of this act, the following amounts hereby are appropriated, and such additional or lesser amounts indicated in fiscal notes on cited legislation hereby are appropriated, for the purpose of funding the costs of implementing the cited legislation. The Commissioner of Finance and

Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal and other departmental revenues and authorized positions accordingly. The appropriation in each item of this section is subject to the bill cited in that item becoming a law.

Item 1. A sum sufficient for Senate Bill No. 2236 / House Bill No. 2249, relative to prohibition of handguns purchased by mentally ill and mentally defective persons.

Item 2. To the Department of Commerce and Insurance the sum of \$200,000 from departmental revenue for Senate Bill No. 2239 / House Bill No. 2289, relative to health insurance claims data. From the appropriations in this act to the Department of Finance and Administration, State Health Planning Division, the sum of \$200,000 is earmarked for the purpose of implementing the cited bill. Further, it is the legislative intent to recognize a decrease in departmental revenue of the Department of Commerce and Insurance, Division of Insurance, in an amount exceeding \$10,000, relative to annual fees of utilization review agents.

Item 3. The appropriations in Section 1, Title III-23, to the Department of Children's Services hereby are reduced by \$16,700, in recognition of Senate Bill No. 2254 / House Bill No. 2262, relative to child abuse review teams.

Item 4. To the Board of Probation and Parole, it is the legislative intent to recognize an increase in appropriations from dedicated application fees and to reduce the appropriation from the general fund in amounts of \$160,800, for Senate Bill No. 2271 / House Bill No. 2308, relative to supervised offenders transferred to another state through the interstate compact for supervision of adult offenders.

Item 5. To the Department of Health, Board for Licensing Health Care Facilities the sums of \$118,400 (recurring) and \$8,600 (non-recurring), funded by an estimated increase of \$20,000 in licensing fee revenue, from other departmental revenue, and from departmental revenue from the TennCare program, for Senate Bill No. 2275 / House Bill No. 2282, relative to adult care homes licensure and standards. Further, from the appropriations in sections 1 and 4 of this act to the TennCare program, a sum sufficient hereby is appropriated for purposes of the cited bill.

Item 6. To the Department of Financial Institutions the sums of \$233,000 (recurring) and \$6,400 (non-recurring) from an estimated increase in departmental revenue for Senate Bill No. 2279 / House Bill No. 2316, relative to mortgage loan originator licensing and industrial loan and thrift companies.

Item 7. To the Department of Correction, Sentencing Act of 1985, the sum of \$15,700 for incarceration costs of Senate Bill No. 2284 / House Bill No. 2296, relative to viatical settlements, a life-insurance regulatory activity of the Department of Commerce and Insurance.

Item 8. (a) To the Department of Commerce and Insurance, the sum of \$1,000,000, including \$22,500 non-recurring, from inspection fees for Senate Bill No. 2300 / House Bill No. 2318, relative to energy-efficiency and residential building inspections. (b) To the state office building and support facilities revolving fund, from its revenues, a sum sufficient is appropriated for purposes authorized by the bill cited in this item.

Item 9. To the Department of Commerce and Insurance, Division of Regulatory Boards, a sum sufficient from fees of the affected boards for Senate Bill No. 2310 / House Bill No. 2312, relative to Board of Funeral Directors and Embalmers, Home Inspection Licensing Program, Collection Service Board, and Tennessee Real Estate Commission.

Item 10. To the Department of Labor and Workforce Development, Employment Security Division, from federal revenue appropriated in Section 4, the sum of \$3,655,800 is earmarked to implement Senate Bill No. 2315 / House Bill No. 2324, relative to the unemployment insurance trust fund and related matters.

Item 11. To the Department of Revenue, the additional sums of \$1,570,000 (recurring) and \$630,000 (non-recurring) and, from the funds appropriated to the Department of Revenue in Section 1, Title III-18, the sum of \$50,000 (non-recurring), for Senate Bill No 2318 / House Bill No. 2275, relative to taxes, technical corrections, and related matters. Twenty-two positions are authorized.

Item 12. To the Miscellaneous Appropriations or the local government fund, the sum of \$1,200,000 for a state share of mandated local costs of implementing Senate Bill No. 2357 / House Bill No. 2389, the Omnibus Budget Reconciliation Act. From this amount, it is the

legislative intent that the Commissioner of Finance and Administration apportion to the county revenue partnership fund, pursuant to Section 67-6-103(k) for distribution to counties on the basis of population an amount to fund a state share of the local cost of various children's services and mental health provisions of the cited bill, as indicated in the fiscal note.

Item 13. To the Department of Health a sum sufficient from dedicated fees, for Senate Bill 258 / House Bill 386, relative to regulation of commercial breeders of dogs and cats. The state share of the mandated local cost of this item shall be recognized from the increased local revenue generated from such act.

Item 14. To the Department of Economic and Community Development the sums of \$64,200 and \$3,000,000 (non-recurring) for Senate Bill No. 650 / House Bill 518, relative to a surety bond guarantee program for small and emerging businesses.

Item 15. There hereby is appropriated the sum of \$28,000 (non-recurring) for Senate Bill No. 1171 / House Bill No. 1410, relative to a special joint committee to study creation of a department of aging and adult services.

Other Amendments

AND FURTHER AMEND the printed bill by adding the following section between Sections 59 and 60 of the printed bill and by renumbering the sections accordingly:

SECTION ____.

Item 1. The appropriations in Section 1, Title III-29, Facilities Revolving Fund, for the Swipe and Ride program hereby are reduced by \$500,000 and the Commissioner of Finance and Administration shall adjust departmental revenue accordingly.

Item 2. In addition to the appropriations in Section 1, Title III-22, Miscellaneous Appropriations, there hereby is appropriated the sum of \$500,000 to support the Swipe and Ride program to be administered by the Department of Transportation. The Commissioner of Finance and Administration shall adjust departmental revenues accordingly.

Item 3. There hereby is appropriated the sum of \$419,900 in the fiscal year beginning July 1, 2009, to the Department of Economic and Community Development for benefit

of the Four Lakes Regional Development Authority. It is the legislative intent that this item continues in fiscal year 2009-2010 the recurring appropriation made in Public Acts of 2008, Chapter 1203, Section 10, Item 42, in the last two sentences of that item.

Item 4. The appropriation in Section 1, Title III-16, Item 2.5, to the Trauma System Fund is reduced by \$907,000 to reflect the revised tobacco tax revenue estimate.

Overappropriation and Reversion

AND FURTHER AMEND by deleting in its entirety Item 1 in Section 43 of the printed bill and by substituting instead a new item 1 to read:

Item 1. It is the legislative intent to recognize a base recurring over-appropriation of \$100,300,000 and a TennCare reversion of \$20,000,000 in the general fund in 2008-2009 and a non-recurring reversion of \$470,955,200 in 2008-2009.

It is further the legislative intent to recognize an additional non-recurring reversion of \$41,200,000 in 2008-2009, under the provisions of Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill No. 2357 / House Bill No. 2389, if such bill becomes law.

It is further the legislative intent to recognize a base recurring over-appropriation of \$100,640,600 and a TennCare reversion of \$20,000,000 in the general fund in 2009-2010 and a non-recurring reversion of \$35,900,000 in 2009-2010.

Rainy Day Fund

AND FURTHER AMEND in Section 47 of the printed bill by deleting in Item 1 the figure "\$685,400,000" and substituting instead the figure "\$586,500,000", and by deleting in Item 2 the figure "\$750,000,000" and substituting instead figure "\$548,000,000".

AND FURTHER AMEND the printed bill by inserting the following new sections between sections 59 and 60 of the printed bill:

K-12 - BEP

SECTION _____. Department of Education, Basic Education Program. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

(1) The state education fund appropriation to the Department of Education, Basic Education Program, in Public Acts of 2008, Chapter 1203, and in this act for fiscal year 2008-2009 is reduced by \$18,000,000 and for fiscal year 2009-2010 is reduced by \$20,400,000 (non-recurring in each fiscal year).

(2) In addition to the appropriations to the Department of Education, Basic Education Program, in Public Acts of 2008, Chapter 1203, and in this act there hereby is appropriated to the Basic Education Program from the federal funds provided by the state fiscal stabilization fund, pursuant to U.S. Public Law 111-5, American Recovery and Reinvestment Act, the sum of \$18,000,000 in fiscal year 2008-2009 and the sum of \$20,400,000 in fiscal year 2009-2010.

Base Budget Personnel Reductions

SECTION _____. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. From the appropriations in Public Acts of 2008, Chapter 1203, and in this act, a sum sufficient is appropriated to fund a severance plan to be used in conjunction with the base budget personnel reductions required by this act. A severance plan shall apply to all reduction-in-force separations occurring after April 1, 2009, that are required by the base budget reductions identified in the 2009-2010 Budget Document, as amended by this act, and also shall apply to any other reduction-in-force separations that result from Executive actions to maintain state spending within available state revenues.

The severance benefit plan shall consist of:

(1) a base payment of \$3,200.

(2) college tuition assistance for 2 years to be capped at the average of the highest four-year public Tennessee college undergraduate level; provided, however, that such assistance shall only be provided for periods of actual attendance within a period of time to be determined by the Commissioner of Finance and Administration.

Reserve Taking

SECTION _____. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. It is the legislative intent to fulfill the essential function and constitutional responsibility of state government to orderly close fiscal year 2008-2009. Under the provisions of Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill 2357 / House Bill 2389, if such bill becomes a law, the Commissioner of Finance and Administration is authorized to deny carryforwards for and to transfer funds from the enumerated funds, reserve accounts, or programs to the state general fund for the sole purpose of meeting the requirements of funding state government for the fiscal year ending June 30, 2009, and for that purpose such funds hereby are appropriated to the general fund. Such transfers and carry-forward denials shall be according to the following schedule, to the extent funds are available in the reserves and considering the interests of the programs, as determined by the Commissioner of Finance and Administration:

Item 1. From the reserves for unencumbered balance and capital outlay that are not permanent statutory reserves, but excluding the TennCare reserve.

Item 2. From the statutory reserves enumerated in Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill 2357 / House Bill 2389.

Item 3. From other reserves enumerated in this act and not subject to determination by the Commissioner of Finance and Administration, an amount to be determined, subject to approval of the controlling state officials.

Item 4. From the TennCare reserve.

Item 5. From the reserve for revenue fluctuations established by Tennessee Code Annotated, Section 9-4-211.

U.S. Economic Recovery Funds

SECTION _____. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. There hereby is appropriated in fiscal years 2008-2009 and 2009-2010 from state fiscal stabilization funds available under U.S. Public Law 111-5, American Recovery

and Reinvestment Act, a sum sufficient to fund appropriations made in Public Acts of 2008, Chapter 1203, and elsewhere in this act, to the extent that state revenue collections in either year are less than the budgeted estimates.

Item 2. Subject to grant-in-aid and audit requirements of U.S. Public Law 111-5, American Recovery and Reinvestment Act, the Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the 2009-2010 work program allotment schedule. If established, said departmental revenue estimates shall be in-lieu of appropriations made in Section 1 of this act from state fiscal stabilization funds in the amounts of \$337,492,900 for education and in the amounts of \$103,133,500 for general purpose (government services). Said appropriations in Section 1 of this act shall be reduced in amounts equal to federal grant-in-aid departmental revenue estimates established pursuant to this authority.

The Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the fiscal year ending June 30, 2009. If established, said departmental revenue estimates shall be in-lieu of appropriations supported by state fiscal stabilization funds in the amount of \$100,334,800 for education.

Additional Amendments

AND FURTHER AMEND the printed bill by deleting in their entirety the line-item appropriations in Section 1, Title III-30, Department of Transportation, and substituting instead:

1.	Administration		
1.1	Headquarters	\$	14,769,000.00
1.2	Bureau of Administration.....		43,148,000.00
1.3	Bureau of Engineering		19,805,000.00
1.4	Field Engineering		46,048,000.00
1.5	Insurance Premiums.....		9,000,000.00
1.6	Bureau of Environment and Planning.....		5,683,000.00
	Total Administration.	\$	138,453,000.00
2.	Equipment Purchases and Operations	\$	26,555,000.00
3.	Highway Maintenance	\$	278,792,000.00
4.	State Construction		
4.1	Highway Betterments.....	\$	10,000,000.00
4.2	State Aid		30,622,000.00
4.3	State Industrial Access.....		24,000,000.00
4.4	Local Interstate Connectors		5,000,000.00

4.5	Capital Improvements	4,200,000.00
	Total State Construction.....	\$ 73,822,000.00
5.	Federal Construction	
5.1	Mass Transit	\$ 43,649,000.00
5.2	Planning and Research.....	5,500,000.00
5.3	Interstate Construction.....	14,800,000.00
5.4	Forest Highways	200,000.00
5.5	State Highway Construction.....	146,954,000.00
5.6	Bridge Replacement	350,000,000.00
5.7	Air, Water, and Rail Transportation	64,000,000.00
	Total Federal Construction.....	\$ 625,103,000.00
	Total Title III-30	\$ 1,142,725,000.00

AND FURTHER AMEND in Section 8 of the printed bill by inserting a new sub-section (c) in Item 27:

(c) Boilers and Elevators pursuant to Tennessee Code Annotated, Section 68-121-108, Section 68-121-117 and Section 68-122-205. Appropriations established under this authority shall be in-lieu of the departmental revenue appropriation in Section 4, Title III-13, Item 5 of this act.

AND FURTHER AMEND in Section 29, Item 21, of the printed bill by inserting a new paragraph to read:

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-138 through A-140 in the 2009-2010 Budget Document:

Austin Peay State University

Baseball Practice Building	\$	100,000
Steam and Chilled Water Update		1,100,000
Total APSU	\$	1,200,000

East Tennessee State University

HVAC System Repairs	\$	6,000,000
University High School Baseball Field		311,000
University High School Modular Classroom		110,000
College of Medicine Building 119 HVAC Repairs		750,000
Lucille Clement Renovation		5,300,000
Total ETSU	\$	12,471,000

Middle Tennessee State University

Feedwater and Boiler Distribution Updates	\$	1,480,000
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Food Service Facility Improvements	6,980,000
Total MTSU	\$ 8,460,000
<u>Tennessee State University</u>	
Steam Infrastructure Repairs	\$ 2,000,000
Total TSU	\$ 2,000,000
<u>Tennessee Technological University</u>	
Crawford Hall Roof Replacement	\$ 270,000
Central Cooling Corrections - Phase 4	3,250,000
Strength and Conditioning Center	2,000,000
Tech Village Apartments Renovations	7,700,000
Total TTU	\$ 13,220,000
<u>University of Memphis</u>	
Music Building Stage Lift	\$ 230,000
Old Law School Building HVAC Updates	4,750,000
Parking Improvements	800,000
Women's Fieldhouse Renovations	500,000
Student Housing	22,000,000
Total UOM	\$ 28,280,000
<u>Chattanooga State Technical Community College</u>	
Underground Piping Connections	\$ 550,000
Total CSTCC	\$ 550,000
<u>Cleveland State Community College</u>	
L. Quinten Lane Gymnasium HVAC Update Phase 2	\$ 490,000
Total CoSCC	\$ 490,000
<u>Columbia State Community College</u>	
Several Building HVAC Updates	\$ 330,000
Total CoSCC	\$ 330,000
<u>Dyersburg State Community College</u>	
Roof Replacements	\$ 680,000
Total DSCC	\$ 680,000
<u>Jackson State Community College</u>	
Student Center Repairs and HVAC Updates	\$ 500,000
Total JSCC	\$ 500,000
<u>Motlow State Community College</u>	
Building Systems Equipment Replacement	\$ 320,000
Total MSCC	\$ 320,000
<u>Nashville State Technical Community College</u>	
ADA and Fire Codes Updates	\$ 420,000
Southeast Center Renovation	380,000
Modular and Entrance Improvements	520,000

Total NSTCC	\$ 1,320,000
<u>Northeast State Technical Community College</u>	
Campus Boiler Replacement	\$ 210,000
Total NESTCC	\$ 210,000
<u>Pellissippi State Technical Community College</u>	
Magnolia Campus Reroof	\$ 340,000
Total PSTCC	\$ 340,000
<u>Roane State Community College</u>	
Cumberland Business Incubator	\$ 1,170,000
Dunbar and Library HVAC Systems Update	1,640,000
Scott County Fitness Center	670,000
Scott County Pavilion	164,000
Total RSCC	\$ 3,644,000
<u>Southwest Tennessee Community College</u>	
Macon Cove Mechanical and Electrical Upgrade	\$ 600,000
Total STCC	\$ 600,000
<u>Volunteer State Community College</u>	
Wood Campus Center Roof Replacement	\$ 520,000
Rear Entrance Roadway	350,000
Total VSCC	\$ 870,000
<u>Walters State Community College</u>	
Humanities Corrections	\$ 1,000,000
Total WSCC	\$ 1,000,000
<u>Tennessee Technology Centers - Statewide</u>	
HVAC and Energy Cost Savings Projects	\$ 5,060,000
Total TTC Statewide	\$ 5,060,000
Total Tennessee Board of Regents	<u>\$ 81,545,000</u>

The Austin Peay State University project, Meacham Apartment Waste Line Replacement, listed on page A-138, in the amount of \$160,000 is deleted from the list.

The East Tennessee State University project, Downtown Clinic, listed on page A-138, in the amount of \$2,000,000 from institutional/auxiliary funds, is a TSSBA project.

The East Tennessee State University project, Burgin Dossett Parking Lot Reconfiguration, listed on page A-138, in the amount of \$430,000 is deleted from the list.

The East Tennessee State University project, College of Medicine Family Medical Center listed on page A-138, in the amount of \$7,750,000 from other funds, is a TSSBA project.

The University of Memphis project, Football Weight Room Addition, listed on page A-138, in the amount of \$4,000,000 is deleted from the list.

The University of Memphis project, Student Housing 400 Beds – Preplanning, listed on page A-139, in the amount of \$650,000 is deleted from the list.

The East Tennessee State University project, Parking Garage, listed on page A-117 of the 2008-2009 Budget Document in the amount of \$15,800,000 and amended per in Section 29, Item 21 of Chapter 1203, Public Acts of 2008, to \$21,500,000 is to be canceled.

AND FURTHER AMEND in Section 29 of the printed bill by adding the following new items:

Item _____. From the appropriations made in Section 1, Title III-10, Item 1 for administration and support services, the Commissioner of Finance and Administration is authorized to make appropriation transfers to implement an administrative reorganization between the Tennessee Student Assistance Corporation and the Tennessee Higher Education Commission.

Item _____. The provisions of this item are effective upon becoming a law, the public welfare requiring it. It is intent of the general assembly to facilitate the provision of financial assistance to unemployed persons seeking educational services who reside in counties experiencing sustained high levels of unemployment. The governor may invoke the provisions of this item where he determines that a county is experiencing sustained high levels of unemployment. To be eligible to receive such aid, a person must be a resident of such county and unemployed as of the date of the declaration by the governor, or thereafter becomes unemployed, and is or has been eligible for unemployment compensation benefits. The Tennessee board of regents and University of Tennessee board of trustees shall each develop a means by which financial assistance is provided to individuals attending their respective institutions. It is the legislative intent that financial assistance provided by public higher

education institutions pursuant to this item shall be limited to fees not covered by other scholarships or grants, including lottery scholarships and Pell grants, for which the individual is qualified to receive.

Item _____. From the funds appropriated in Section 1, Title III-10, to the University of Tennessee Agricultural Experiment Station, an amount of \$200,000 is earmarked for operational expenses.

Item _____. It is hereby declared to be the legislative intent that the staff of the Tennessee Higher Education Commission shall, in coordination with other relevant entities, conduct a study to determine the feasibility of the state obtaining the facilities, property and assets of Lambuth University. The review shall include, but not be limited to, the condition and value of physical structures and real property, value of other assets and the debt obligations of Lambuth University. The review shall also include an evaluation of the extent that the campus could be utilized to provide postsecondary instruction by one or more public institutions of higher education. The Tennessee Higher Education Commission shall report its findings, including a recommendation as to the feasibility of obtaining Lambuth University, any preconditions that should be met prior to the state obtaining the campus, and specific recommendations on academic programs or coursework that one or more public institutions of higher education would provide at the campus. Should the report recommend that the Lambuth University be obtained by the state, the appropriate governing board shall take action pursuant to its by-laws to adopt the report and commit to fulfilling any conditions outlined in the commission's recommendation. The transaction will not become final unless and until the conditions have been met by the appropriate governing board and/or institution, the state building commission approves the acquisition of any real property, and the speakers of both the house of representatives and senate shall approve a budget expansion acknowledging the gift of funding sufficient to pay for the transaction.

AND FURTHER AMEND in Section 35 of the printed bill by adding the following item:

Item _____. To the Department of Economic and Community Development, in Section 1, Title III-8, from Community Development and Regional Grants Management to

Economic Development District Grants to comply with the requirements of Chapter 521, Public Acts of 2007.

AND FURTHER AMEND in Section 36 of the printed bill by deleting Item 31 in its entirety and substituting instead:

Item 31. To the Department of Economic and Community Development for non-FastTrack economic development project grants made in the Business Development program.

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and substituting the following as a new Section 39:

SECTION 39: The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2009, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2009.

(a) There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2008-2009</u>	<u>2009-2010</u>
Commissions		
1. Commission on Aging and Disability	\$ 256,900	\$ 2,900,600
Agriculture		
1. Market Development	0	113,000
2. Forestry Operations	0	100,000
Total Agriculture	0	213,000
Education (K-12)		
1. Early Childhood Education	0	133,600
Financial Institutions		
1. Financial Institutions	78,600	78,600
Human Services		
1. Vocational Rehabilitation	0	456,300
Children's Services		
1. Family Support Services	0	146,000
GRAND TOTAL SECTION 39 (a)	\$ 335,500	\$ 3,928,100

The Commissioner of Finance and Administration is authorized to establish eighteen (18) full-time positions and to allocate them to the appropriate organizational units, including one (1) position in the Department of Financial Institutions and seventeen (17) positions in the Department of Human Services.

(b) From funds available from U.S. Public Law 111-5, the American Recovery and Reinvestment Act, there is hereby appropriated from federal funds and other departmental revenues the amounts hereinafter set out:

	<u>2008-2009</u>	<u>2009-2010</u>
Finance and Administration		
1. Volunteer Tennessee	\$ 0	\$ 600,000
Economic and Community Development		
1. Energy Division	0	33,339,200
Education (K-12)		
1. ESEA No Child Left Behind	0	83,178,800
2. Career and Technical Education Programs	0	370,000
3. Alvin C. York Institute	0	5,700
4. Tennessee School for the Blind	0	3,900
5. Tennessee School for the Deaf	0	3,500
6. West Tennessee School for the Deaf	0	1,100
Total Education (K-12)	0	83,563,000
Military		
1. Armories Maintenance	0	720,000
Health		
1. Communicable and Environmental Disease Services	0	2,950,800
Transportation		
1. State Highway Construction	0	2,000,000
GRAND TOTAL SECTION 39 (b)	\$ 0	\$ 123,173,000

AND FURTHER AMEND by deleting in its entirety Item 29 in Section 41 of the printed bill.

Fire Service and Codes Enforcement Academy

AND FURTHER AMEND in Section 41 of the printed bill by inserting the following new items:

Item _____. In-lieu of the appropriation in Section 1, Title III-11, Item 2 of this act made to the Department of Commerce and Insurance, Fire Service and Codes Enforcement Academy, the Commissioner of Finance and Administration is authorized to establish a departmental revenue estimate funded by fire prevention revenues. The 2009-2010 estimate of general fund miscellaneous revenue listed on page A-11 shall be reduced in an amount equal to the departmental revenue estimate established pursuant to this authority.

Item _____. The capital outlay project for the Department of Transportation, New Region 2 Complex – Additional Sitework, listed on page A-137 of the 2009-2010 Budget Document, in the amount of \$1,000,000 is deleted from the list.

SECTION 44 Facilities Revolving Fund

AND FURTHER AMEND in Section 44 of the printed bill by adding the following new items:

Item 1. The capital outlay project, Highway Patrol Regional Office – Planning, to be funded in the amount of \$300,000 from the Facilities Revolving Fund appropriation made in Section 4, Title III-28 of this act and listed on page A-154 of the 2009-2010 budget document, is deleted and there is hereby re-appropriated the sum of \$300,000 to renovate the Butler building facility, the Tennessee Highway Patrol regional office in Nashville.

Section 48 - TennCare

AND FURTHER AMEND by deleting in its entirety Item 8 in Section 48 of the printed bill and by renumbering subsequent items accordingly.

AND FURTHER AMEND in Section 48 of the printed bill by inserting the following new items:

Item _____. Subject to the availability of funding at June 30, 2009, the Commissioner of Finance and Administration is authorized to carry forward into the fiscal year beginning July 1, 2009, any unexpended balances of appropriations made under Chapter 1203, Public Acts of 2008, for the Governor's Office of Children's Care Coordination and such funds as are carried forward are hereby re-appropriated to be expended in the 2009-2010 fiscal year.

Item _____. In the fiscal year ending June 30, 2010, there hereby is appropriated a sum sufficient from the TennCare reserve to provide state match for a federal grant to support

the electronic health records initiative. Subject to approval of the federal grant application, the Commissioner of Finance and Administration is authorized to make appropriate transfers and to adjust federal aid and departmental revenue estimates accordingly.

Item _____. In addition to the appropriations in Section 4 of this act to the TennCare program, a sum sufficient hereby is appropriated from federal aid for the sole purpose of making payments for uncompensated care for trauma system services. This item is subject to enactment of an uncompensated care provision, relative to the trauma system, in Senate Bill 2357 / House Bill 2389, if such bill becomes a law. Provided, further, this item also is subject to the state's receiving approval of the federal Medicaid matching funds from the U.S. Centers for Medicare and Medicaid Services.

AND FURTHER AMEND the printed bill in Section 52, Item 2 by deleting the word "and" at the end of sub-item (f);

And by deleting the period at the end of sub-item (g) and inserting a semi-colon and the word "and"; and by inserting a new sub-item (h) to read:

(h) The award amount for an eligible student under the Tennessee HOPE dual enrollment grant shall be determined by the Tennessee Student Assistance Corporation.

Housekeeping Amendments

AND FURTHER AMEND in Section 3, Item 2 of the printed bill by deleting the citation "Section 69-10-203" and substituting instead "Section 69-9-203"; and by deleting the citation "Title 69, Chapter 10, Part 2" and substituting instead "Title 69, Chapter 9, Part 2" where it appears twice in the item.

AND FURTHER AMEND in Section 6, Item 9 of the printed bill by deleting the citation "Section 9-9-301" and substituting instead "Section 9-10-101".

AND FURTHER AMEND in Section 8, Item 6(a) of the printed bill by deleting the citation "Section 36-6-413(b)(5) and substituting instead "Section 36-6-413(b)(2)".

AND FURTHER AMEND in Section 8, Item 6(e) of the printed bill by deleting the citation “Section 67-4-606(a)(B)(9)” and substituting instead “Section 67-4-606(a)(9)”.

AND FURTHER AMEND in Section 8, Item 24(a) of the printed bill by deleting the citation “Section 40-39-201” and substituting instead “Section 39-13-709”.

AND FURTHER AMEND in Section 8, Item 36(b) of the printed bill by deleting the citation “Section 67-4-606(2)(B)” and substituting instead “Section 67-4-606(a)(2)(B)”.

AND FURTHER AMEND in Section 49, Item 2 of the printed bill by deleting the incomplete citation “Senate Bill No. ____ / House Bill No. ____” and substituting instead “Senate Bill No. 2357 / House Bill No. 2389”.

AND FURTHER AMEND in Section 58, Item 1 of the printed bill by deleting the incomplete citation “Senate Bill No. ____ /House Bill No. ____” and substituting instead “Senate Bill No. 2358 / House Bill No. 2390”.

AND FURTHER AMEND in Section 58, Item 2 of the printed bill by deleting the incomplete citation “Senate Bill No. ____ /House Bill No. ____” and substituting instead “Senate Bill No. 2358/House Bill 2390”.

AND FURTHER AMEND in Section 58, Item 5 of the printed bill by deleting the incomplete citation “Senate Bill No. ____ /House Bill No. ____” and substituting instead “Senate Bill No. 2357/House Bill No. 2389”.

AND FURTHER AMEND in Section 58, Item 6 of the printed bill by deleting the incomplete citation “Senate Bill No. ____ /House Bill No. ____” and substituting instead “Senate Bill No. 2290/House Bill No. 2264 or Senate Bill No. 2318 / House Bill No. 2275”.

AND FURTHER AMEND in Section 7, Item 1 of the printed bill by deleting in the second paragraph the citation “Section 1, Title III-22, Item 21” and substituting instead “Section 1, Title III-22, Item 16”.

AND FURTHER AMEND in Section 7, Item 12 of the printed bill by deleting the citation “Section 1, Title III-11, Item 11” and substituting instead “Section 1, Title III-11, Item 9”.

AND FURTHER AMEND in Section 26, Item 7 of the printed bill by deleting the words “One Hundred Fifth” and substituting instead “One Hundred Sixth”.

AND FURTHER AMEND in Section 37 of the printed bill by deleting the date “June 30, 2008” and substituting “June 30, 2009”; by deleting the citation “Chapter 603, Public Acts of 2007” and substituting “Chapter 1203, Public Acts of 2008”; by deleting the fiscal year designation “2008-2009” and substituting “2009-2010”; and by deleting the date “July 1, 2008” and substituting “July 1, 2009”.

AND FURTHER AMEND in Section 38 of the printed bill by deleting in its entirety the last sentence in the section.

AND FURTHER AMEND in Section 41, Item 28 of the printed bill by deleting the date “June 30, 2010” and substituting “June 30, 2009”.

AND FURTHER AMEND the printed bill in Sections 6, 8, 12, 29, 35 and 59 by numbering the items in sequence.

Legislative Adjustments

AND FURTHER AMEND by deleting the following language:

Item 7. Department of Labor and Workforce Development, reduction number 7, Adult Education Subgrants, Adult Basic Education, \$373,500.

Item 8. Military Department, reduction number 5, Administration, Division of Administration, \$353,500 for tuition assistance in the Air Guard.

AND FURTHER AMEND by deleting the following language:

Item 14. To the Department of Economic and Community Development the sums of \$64,200 and \$3,000,000 (non-recurring) for Senate Bill No. 650 / House Bill 518, relative to a surety bond guarantee program for small and emerging businesses.

AND FURTHER AMEND by deleting the following language:

Item 12. To the Miscellaneous Appropriations or the local government fund, the sum of \$1,200,000 for a state share of mandated local costs of implementing Senate Bill No. 2357 / House Bill No. 2389, the Omnibus Budget Reconciliation Act. From this amount, it is the legislative intent that the Commissioner of Finance and Administration apportion to the county revenue partnership fund, pursuant to Section 67-6-103(k) for distribution to counties on the basis of population an amount to fund a state share of the local cost of various children's services and mental health provisions of the cited bill, as indicated in the fiscal note.

and by substituting instead the following language:

Item 12. To the Miscellaneous Appropriations or the local government fund, the sum of \$700,000 for a state share of mandated local costs of implementing Senate Bill No. 2357 / House Bill No. 2389, the Omnibus Budget Reconciliation Act. From this amount, it is the legislative intent that the Commissioner of Finance and Administration apportion to the county revenue partnership fund, pursuant to Section 67-6-103(k) for distribution to counties on the basis of population an amount to fund a state share of the local cost of various children's services and mental health provisions of the cited bill, as indicated in the fiscal note.

AND FURTHER AMEND by adding the following language to the end of Item 11, Section 9:

It is the legislative intent that such study include the University of Tennessee system and the state university and community college system; provided, however, the costs of such study shall not exceed amounts previously set aside therefor.

AND FURTHER AMEND by deleting the following language:

Item 1. To Miscellaneous Appropriations in Section 1, Title III-22, the sum of \$3,700,000 (non-recurring) to fund a severance benefit plan for reduction-in-force separations occurring after April 1, 2009.

and by substituting instead the following language:

Item 1. To Miscellaneous Appropriations in Section 1, Title III-22, the sum of \$3,700,000 (non-recurring) to fund a severance benefit plan for reduction-in-force separations occurring after April 1, 2009. It is the legislative intent that separation notices for filled positions identified for elimination in the proposed fiscal year 2009-2010 budget and supporting documentation shall not be given prior to April 1, 2010, except for position reductions that are included in the plan to reduce capacity in institutions operated by either the department of mental health and developmental disabilities or the division of mental retardation services.

AND FURTHER AMEND by adding the following new items at the end of Section 10:

Item ____.

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 214 / House Bill 509, Senate Bill 184 / House Bill 216, Senate Bill 1634 / House Bill 294, Senate Bill 178 / House Bill 75, Senate Bill 986 / House Bill 343, Senate Bill 762 / House Bill 372, Senate Bill 20 / House Bill 467, Senate Bill 1760 / House Bill 487, Senate Bill 2135 / House Bill 2140, Senate Bill 2159 / House Bill 2179, Senate Bill 2155 / House Bill 1929, Senate Joint Resolution 230, House Joint Resolution 472, and House Joint Resolution 116, if such bills and resolutions become law.

(b) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of funding any general

bill or resolution, that becomes law, designating an interstate, United States highway or state highway as a memorial highway or memorial bridge for certain individuals killed in the line of duty, pursuant to § 54-1-133 or § 54-5-1003, that is not otherwise funded in this act.

Item _____. From the funds appropriated to the Secretary of State, there is earmarked the sum of \$20,000 for the sole purpose of implementing Senate Joint Resolution 127, relative to a constitutional amendment concerning abortion, if such resolution becomes law.

Item _____. From the funds appropriated to the Department of Military, there is earmarked the sum of \$3,000 for the sole purpose of implementing Senate Bill 1979 / House Bill 2058, relative to naming the National Guard Armory located at 1801 South Holtzclaw Avenue in Chattanooga in honor of CSM Bobby G. Davis, if such bill becomes law.

Item _____. The commissioner of finance and administration shall make all necessary adjustments to revenues, authorized positions and totals as necessary to implement the provisions of Senate Bill 1063 / House Bill 1268, relative to notification to health care practitioners of certain reporting requirements, and Senate Bill 1981 / House Bill 1775, relative to creation of a Tennessee board of court reporting, if such bills become law.

Item _____. From the funds appropriated to the Tennessee board of regents in Section 1, Title III-10, Item 4.3e, Tennessee State University, there is hereby appropriated a sum not to exceed \$784,030 for the sole purpose of providing state matching funds for the receipt of federal funds for agricultural research, agricultural extension and forestry programs at Tennessee State University. The appropriation of state funds authorized in this item shall be allocated by the chancellor of the Tennessee board of regents at the request of the president of Tennessee State University in such amount and manner that maximizes the receipt of federal funds.

Item _____.

(a) From funds previously appropriated for such purpose, it is the intent of the general assembly that there is established the Jimmy Naifeh Center for Effective Leadership at the University of Tennessee to prepare elected and appointed officials for the challenges of serving the public; to provide leadership and management programming for government officials from across the state and the nation; and to provide studies and research in public service on any and all matters relating to the development of professional skills to enhance effectiveness as representatives of the people.

(b) It is the intent of the general assembly that in addition to or as part of the services provided pursuant to subsection (a), the Center shall administer the Tennessee Government Executive Institute, the Tennessee Government Management Institute, and the Local Government Leadership Program as well as other such programs or initiatives that promote leadership development and public service.

Item ____.

(a) From TennCare Reserves, there is earmarked and appropriated to the TennCare program the a sum sufficient not to exceed \$2,250,000 for the purpose of making payments to ambulance providers. It is the legislative intent that these funds be used to offset Medicaid losses related to the provision of transportation services provided out-of-county.

(b) From TennCare Reserves, there is earmarked and appropriated to the TennCare program the sum of \$750,000 for the purpose of making grants to Chattanooga, Knoxville, Memphis, and Nashville for governmental emergency services. It is the legislative intent that such funds be divided pro-rata on the basis of population.

Item _____. From the funds appropriated for the Criminal Injuries Compensation Fund, pursuant to § 40-38-405 there is earmarked the sum of \$100,000 for the sole purpose of making a grant in such amount to the Tennessee Coalition Against Domestic

and Sexual Violence to support the activities of the Tommy Burks Victim Assistance Academy.

Item _____. The appropriation made to the department of education is reduced by the sum of \$2,250,000. Such funding reduction is for the purpose of reducing the exemplary educators program.

Item _____. The appropriation made to the department of health is reduced by the sum of \$6,400,000. Such funding reduction is for the purpose of reducing diabetes program grants.

AND FURTHER AMEND by adding the following new items to the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 530 / House Bill 348, Senate Bill 465 / House Bill 448, Senate Bill 781 / House Bill 589, Senate Bill 672 / House Bill 606, Senate Bill 686 / House Bill 963, Senate Bill 1007 / House Bill 1001, Senate Bill 511 / House Bill 1120, Senate Bill 1531 / House Bill 1261, Senate Bill 494 / House Bill 1653, Senate Bill 1965 / House Bill 1732, Senate Bill 2162 / House Bill 1963, Senate Bill 1107 / House Bill 1972, Senate Bill 2117 / House Bill 2199, Senate Bill 2115 / House Bill 2193, Senate Bill 197 / House Bill 284, Senate Bill 673 / House Bill 607, House Joint Resolution 113, House Resolution 82 and House Resolution 182, if such bills and resolutions become law. It is the legislative intent that if funding is earmarked for such implementation in such bills or resolutions that the funds appropriated in this item be reduced accordingly.

Item _____. In addition to any other reductions included in this act, the department of finance and administration is directed to make necessary adjustments to reconcile reductions occurring if Senate Bill 162 / House Bill 506 and/or Senate Bill 673 / House Bill 607 become law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of maintaining the employer matching contribution at a maximum level of fifty dollars (\$50.00) per month for each employee authorized to participate in the state employee 401(k) program pursuant to Tennessee Code Annotated, § 8-25-303.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,010,500 (non-recurring) to the Department of Mental Health and Developmental Disabilities for the purpose of making grants on a pro rata basis to restore reductions in community based mental health and substance abuse services effective June 30, 2009, to non-state governmental entities.

Item _____. To the department of finance and administration, the sum of \$37,400 (of which amount \$25,400 is nonrecurring) to provide separate longevity payments to state employees. This appropriation shall be available to implement Senate Bill 1466 / House Bill 1573, relative to state employee longevity payments, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$95,000 (recurring) to the department of health for the sole purpose of contracting with a nonprofit organization for promotion of health awareness among Tennessee males. Such nonprofit organization must have been established prior to January 1, 2004; must have received a contract administered through the Tennessee department of health; must have received funding through the vitamin supplement settlement of June 2003, administered by the Tennessee attorney general's office; and must possess substantial experience with general health outreach and education activities for males in Tennessee, including activities for the general population and the underserved living in Tennessee.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$136,300 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to St. Jude Hospital in

Memphis, to defray, in whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Tennessee historical commission for the sole purpose of making a grant in such amount to the Stax Museum in Memphis, to be used for defrayal of operational costs.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the UT Health Science Center for the sole purpose of enhancing the programs and services of the College of Dentistry .

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$24,900 (non-recurring) to the Tennessee Historical Commission for the sole purpose of the continuation of the historical interpretation pilot project. It is the intent of the General Assembly that such funds be distributed to the same property funded in Section 12, Item 10(b), of Chapter 1203 of the Public Acts of 2008.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$157,500 (non-recurring) to the department of tourist development for the purposes of web site development, marketing, advertising and other support services for the Tennessee Sesquicentennial Commission.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to the MED Foundation, to be used in support of the Diggs-Kraus Sickle Cell Center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Civil Rights Museum, to be used for programs, services and operational expenses.

Item _____. In addition to the appropriations in Section 4, there hereby is appropriated to Claims and Compensation, Risk Management Fund, the sum of \$1,700 from Risk Management Fund revenues for the purpose of implementing Senate Bill 2000 / House Bill 1777, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$130,000 (recurring) to the board of probation and parole for the sole purpose of expanding the community corrections program.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (of such amount \$250,000 shall be non-recurring) to the department of education for the sole purpose of allocating such sum as grants in equal amounts to each Tennessee public television station, to be used for equipment, programs and operational expenses.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$4,900,000 (non-recurring) to the department of education for the sole purpose of the coordinated school health program.

Item _____. In addition to other appropriations made in this act, there is hereby appropriated the sum of \$4,500,000 (non-recurring) to the Department of Children's Services for the purpose of partial restoration of over-commitment reduction.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,700,000 (non-recurring) to the Department of Mental Health and Developmental Disabilities for the sole purpose of making payments from such amount to private hospitals receiving funding prior to November 2008 for inpatient psychiatric treatment of uninsured committed patients, to be used for continued funding of such inpatient psychiatric treatment of uninsured committed patients.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,000,000 (non-recurring) to the department of economic and community development for the sole purpose of making rural assistance grants. It is the legislative intent that such grants be made for the following purposes:

- (a) Expansion of rural broadband connectivity,
- (b) Decreasing K-12 student to computer ratios in rural counties; and/or
- (c) Expansion of rural distance learning opportunities.

The commissioner shall award grants for programs and services in a manner that maximizes the use of available funds. It is the legislative intent that the department of economic and community development award grants prior to December 1, 2009. The commissioner shall report grants made pursuant to this section to the speaker of the senate, speaker of the house of representatives, chairman of the senate finance, ways and means committee, chairman of the house finance, ways and means committee and to the office of legislative budget analysis by December 15, 2009.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$40,000 (non-recurring) to the department of finance and administration for criminal justice grants.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Medal of Honor Museum of Military History in Hamilton County, to be used for volunteer staff training at the Campbell Center for Historic Preservation Studies.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Amachi Mentoring Program operated statewide by Big Brothers Big Sisters of Middle Tennessee. It is the intent of the general assembly that such grant funds shall be

distributed to participating Tennessee Big Brothers Big Sisters programs based on the number of children served.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$77,700 (recurring) to the Department of Children's Services for the sole purpose of maintaining a chaplain position at the Wilder Youth Development Center in Fayette County. Subject to this appropriation, the number of authorized positions, federal aid and other departmental revenues shall be adjusted accordingly.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Public Safety Network, to be used for operational expenses including responding to critical incidents involving law enforcement agencies and officers.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$125,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Financial Literacy Program, to be used for matching funds to match a grant from First Tennessee Bank. It is the intent of the general assembly that the Financial Literacy Program will be coordinated jointly on behalf of state government by the State Treasurer and the Commissioner of the Department of Financial Institutions.

AND FURTHER AMEND by deleting Section 42(b) in its entirety and by substituting instead the following:

(b) From the growth in state-shared taxes apportioned to cities and counties and from the increase in local revenue generated from passage of any general law during the 2009 annual session of the 106th General Assembly not otherwise appropriated pursuant to this act, a sum sufficient hereby is appropriated to fund the state share of the cost of any law of general application which requires, without local discretion, that

incorporated municipalities or county governments increase expenditures as a direct consequence of passage of any general law.

AND FURTHER AMEND by adding the following language as a new, appropriately designated subdivision at the end of Section 42:

(_) It is the intent of the general assembly that an amount not to exceed \$470,000 (recurring) for the state share of mandated local costs of implementing Senate Bill No. 2133 / House Bill No. 2146, relative to charter schools, be included in the budget proposed by the Governor for fiscal year 2010-2011.

AND FURTHER AMEND by deleting Section 47 in its entirety and by substituting instead the following language:

SECTION 47. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2009, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$586,500,000 on June 30, 2009.

Item 2. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2010, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$533,000,000 on June 30, 2010.

AND FURTHER AMEND by deleting Item 2(h) in Section 52 and by substituting instead the following subitems:

(h) \$1,000 per semester for successful completion of twelve (12) or more semester hours for an eligible student under the Helping Heroes Grant pursuant to § 49-4-938 as amended by Senate Bill 37 / House Bill 839, if such bill becomes a law; provided, however, that the total amount expended for Helping Heroes Grants shall not exceed \$750,000;

(i) Determined pursuant to the provisions § 49-4-939 for an eligible student under the Tennessee Rural Health scholarship; provided, however, that the total amount expended for Tennessee Rural Health scholarships shall not exceed \$600,000; and

(j) Determined by the Tennessee student assistance corporation in accordance with § 49-4-930 for an eligible student under the dual enrollment grant.

AND FURTHER AMEND by deleting the last sentence of Item 4 in Section 52 in its entirety.

AND FURTHER AMEND by adding the following language as new sections immediately preceding the severability clause section and by renumbering the subsequent sections accordingly:

SECTION _____. The appropriation made for Tennessee Student Assistance Awards in Section 1, Title III-10, of this act is reduced by the sum of \$3,200,000 (recurring) and reappropriated in the amount of \$3,200,000 (non-recurring) for the purposes of such program.

SECTION _____.

Item 1. It is hereby recognized that Senate Bill 1519 / House Bill 961 will result in a revenue loss of \$300 to the Wildlife Resources Fund, if such bill becomes a law.

Item 2. It is hereby recognized that Senate Bill 2112 / House Bill 2038 will result in a revenue loss of \$134,000, if such bill becomes a law.

SECTION _____. The appropriation made to the general assembly in Section 1 of this act is reduced by the sum of \$1,500,000 (of such amount \$1,000,000 shall be non-recurring).

SECTION _____. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Health, after the Bureau of TennCare has met all reversion requirements set forth elsewhere in this act, the state savings amount in excess of \$316,000,000 attributable to state fiscal year 2008-2009, received pursuant to P.L. 111-5, the American Recovery and Reinvestment Act of 2009, due to the enhanced federal match rate for Medicaid spending in fiscal year 2008-2009 for the purpose of making supplemental non-recurring safety net grants. It is the legislative intent that fifty percent (50%) of such savings be allocated to the general fund balance at June 30, 2009, and fifty percent (50%) of such savings is hereby appropriated for expenditure in fiscal year 2009-2010 for making grants to the following entities or programs for the purpose of providing services to people who are underinsured or uninsured:

- (a) Federally qualified health clinics and other primary care clinics,
- (b) Community mental health centers and agencies providing family support services for people with mental disabilities;
- (c) Public safety net hospitals; and/or
- (d) Additional premium assistance for Access TN.

The Commissioner of the Department of Health shall award grants for programs and services in a manner that maximizes the use of available funds. It is the legislative intent that the department of finance and administration award grants, if any, prior to December 1, 2009. The Department of Health shall report any grants made pursuant to this section to the speaker of the senate, speaker of the house of representatives and to the office of legislative budget analysis by December 15, 2009.

SECTION _____. This section shall take effect upon becoming a law, the public welfare requiring it. Notwithstanding any other provision of this act to the contrary, if Senate Bill 162 / House Bill 506 becomes law, then:

(a) The unexpended revenues pursuant to Section 4, Title III-1, Item 3.8, and state appropriations pursuant to Section 1, Title III-1, Item 3.9, of the Tennessee ethics commission, as of June 30, 2009, are hereby reappropriated to the bureau of ethics and campaign finance to be expended during fiscal year 2009-2010 as needed to fulfill outstanding obligations of the ethics commission and to effectuate the transfer of the ethics commission to the bureau as a division thereof. Unexpended revenue of the bureau's division of ethics, as of June 30, 2010, shall not revert to the general fund.

(b) The appropriation in Section 1, Title III-1, Item 3.9 shall be reduced to \$90,000.00 and shall be made to the bureau of ethics and campaign finance on behalf of its division of ethics. The appropriation in Section 4, Title III-1, Item 3.8, of \$480,100.00 shall be made to the bureau of ethics and campaign finance on behalf of its division of ethics.

SECTION _____. If additional federal funds for energy related programs not otherwise appropriated or obligated pursuant to the provisions of this act are received in fiscal year 2009-2010 as determined by the commissioner of finance and administration, the sum of \$1,000,000 from such additional federal funds is appropriated to the department of economic and community development to be available for a geothermal energy demonstration pilot project at a private institution of higher education in Claiborne County.

SECTION _____. The commissioner of finance and administration is requested to make all necessary adjustments to revenues, authorized positions and totals as necessary to effectuate the provisions of this act.

SECTION _____.

(a) It is the legislative intent to fund the pre-kindergarten program from lottery funds available in fiscal year 2009-2010 and any subsequent fiscal year to the extent constitutionally permissible.

(b) To the extent that 2009-2010 recurring lottery for education account revenues are available in fiscal year 2009-2010, after funding of higher education scholarships, administrative costs, and other lottery appropriation items, such recurring lottery funds hereby are appropriated for the voluntary pre-kindergarten program, in addition to the amount in section 52, and the general fund appropriation shall be reduced in the same amount.

SECTION __. The Department of Finance and Administration is directed to notify in writing each entity (other than state agencies or individuals) receiving funding under this Appropriations Act which is non-recurring funding that such funding has been identified in the Governor's proposed budget to expire at the end of fiscal year 2009-2010 or fiscal year 2010-2011, as applicable, and that such entity is advised to seek alternative non-state funding for future fiscal years.

AND FURTHER AMEND by adding the following language after the fourth paragraph of SECTION 23:

An expansion report shall not be acknowledged by the chairs of the Finance, Ways and Means committees during a time that the General Assembly is in regular, annual session until each Finance, Ways and Means committee has held a hearing on the proposed program expansion, or the committees have held a joint hearing.

State fiscal stabilization funds available under U.S. Public Law 111-5, American Recovery and Reinvestment Act, and any subsequent revenue-sharing relief to the states in excess of the amounts specifically appropriated or identified in this act shall not be used to expand programs until specifically appropriated by the General Assembly.

AND FURTHER AMEND by adding the following language as a new item at the end of Section 43:

Item ____.

(a) The general assembly hereby acknowledges that it is the Governor's intent, to the extent it becomes necessary that the commissioner of finance and administration at July 1, 2009, may establish allotment reserves in an amount not less than \$55,000,000 from the general fund and education fund appropriations under the provisions of Tennessee Code Annotated, Section 9-4-5111, and not allot such appropriations until the commissioner determines that the 2008-2009 revised state revenue estimate of \$8,327,400,000 in the general and education funds has been achieved. Such reserve amount is in addition to any reserves established in order to fulfill the overappropriations established by this act. The additional allotment reserves may include higher education in an amount to be determined by the commissioner, but excluding appropriations for public institutions of higher education, as defined by U.S. Public Law 111-5, American Recovery and Reinvestment Act, and related U.S. statutes and other state agencies, in amounts to be determined by the commissioner.

(b) The general assembly acknowledges that, to the extent possible, in the commissioner's judgment, the allotment reserves may be established in a manner to recognize payroll and operational savings exceeding amounts supporting the overappropriation and to preserve, to the fullest extent possible, partial funding of targeted grants, programs, and services.

(c) The commissioner shall report to the chairs of the finance, ways and means committees of the senate and the house of representatives and the director of the office of legislative budget analysis any amounts reserved by agency and program and shall report if such reserves are released.

AND FURTHER AMEND by adding the following language as new sections immediately preceding the severability clause section and by renumbering the subsequent sections accordingly:

SECTION ____.

(a) The appropriation made to the Department of Transportation in Section 1 of this act is reduced by the sum of \$262,500,000. Such funding reduction is for the purpose of phasing in funding for bonding for bridge replacement.

(b) The appropriation made to the State Funding Board in Section 1 of this act is reduced by the sum of \$28,900,000. Such funding reduction is for the purpose of reducing the amortization of authorized and unissued highway bonds as a result of phasing in bonding for bridge replacement in the preceding subdivision.

(c) There is hereby appropriated the sum of \$28,900,000 to the Department of Transportation for the highway fund (of which such sum \$23,100,000 shall be federal revenues and \$5,800,000 shall be state transportation funds).

(d) The commissioner of finance and administration is authorized to adjust the amounts in subsections (b) and (c) to reflect debt service requirements.

(e) It is the legislative intent that the budget proposed by the Governor for fiscal year 2010-2011 include sufficient funds to implement the second phase of Tennessee Transportation Infrastructure Improvement Bond Program in accordance with Senate Bill 2358 / House Bill 2390 if such bill becomes a law.

SECTION _____. To the extent permissible under federal law, upon completion of all transportation projects funded by federal transportation grants provided under U.S. Public Law 111-5, American Recovery and Reinvestment Act, the combined unexpended balance of the federal funds for all such projects shall be reserved for

bridge repair and replacement, and such funds are hereby appropriated. In addition, any federal transportation grants arising from any subsequent and similar U.S. economic recovery act shall be appropriated and used for bridge repair and replacement, to the extent permissible under federal law. Provided further, to the extent permissible under federal law, any such appropriation or reappropriation shall be used in lieu of bonds to fund projects funded by the bonds authorized in Senate Bill No. 2358 / House Bill 2390, and the state funding board is directed to cancel bonds in permissible amounts.

AND FURTHER AMEND by requesting the appropriate Engrossing Clerk to delete the underlined explanatory headings in this amendment.